PREVAILED   Roll Call No. _____

FAILED   Ayes _____

WITHDRAWN   Noes _____

RULED OUT OF ORDER

HOUSE MOTION ____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

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1        Delete the title and insert the following:
2        A BILL FOR AN ACT to amend the Indiana Code concerning
3    taxation and to make an appropriation.
4        Page 57, between lines 3 and 4, begin a new paragraph and insert:
5        "SECTION 47. IC 6-1.1-21.3 IS ADDED TO THE INDIANA CODE
6    AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
7    MARCH 1, 2004 (RETROACTIVE)]:
8        Chapter 21.3. Payments in Lieu of Property Taxes
9        Sec. 1. As used in this chapter, "PILOT" refers to a payment
10   in lieu of taxes.
11       Sec. 2. (a) This chapter applies to a county in which the state
12   owns at least twenty percent (20%) of total acres in the county.
13       (b) A county is entitled to a PILOT from the state for land
14   within the county that is:
15           (1) owned or leased by the state on March 1 of the previous
16           year; and
17           (2) exempt from the payment of property taxes.
18       Sec. 3. On May 1 and November 1 of each year, the state shall
19   make a PILOT to each county that is entitled to receive a PILOT
20   under section 4 of this chapter.
21       Sec. 4. The PILOT required to be paid for a year under section
22   5 of this chapter for land described in section 2(b) of this chapter,
23   regardless of how the land is used, equals the product of:
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1   **(1) the statewide agricultural land base rate value for the**
2   **year in which the PILOT is payable, as determined by the**
3   **department of local government finance;**
4   **(2) the number of acres subject to the PILOT; and**
5   **(3) the net property tax rate (after application of the property**
6   **tax replacement credit) in the taxing district in which the**
7   **land is located for property taxes payable in the year in which**
8   **the PILOT is payable.**
9   **Sec. 5. Not later than September 1 of each year, the auditor of**
10   **state shall provide the township assessor of each township in**
11   **which land described in section 2(b) of this chapter is located with**
12   **a report of:**
13   **(1) the number of acres of land described in section 2(b) of**
14   **this chapter that are located in the township; and**
15   **(2) any other information required by the department of local**
16   **government finance;**
17   **on a form prescribed by the department of local government**
18   **finance. However, with the consent of the department of local**
19   **government finance, the auditor of state may distribute the**
20   **information required under this section in an electronic format.**
21   **Sec. 6. A PILOT:**
22   **(1) is billed;**
23   **(2) is due;**
24   **(3) bears interest if unpaid; and**
25   **(4) is distributed to a political subdivision within a county;**
26   **in the same manner as ad valorem property taxes. A PILOT is**
27   **treated in the same manner as a property tax for purposes of the**
28   **procedural and substantive provisions of law.**
29   **Sec. 7. The department of local government finance:**
30   **(1) shall prescribe a form for the transfer of information**
31   **required under section 5 of this chapter; and**
32   **(2) may adopt standards for the reporting of information**
33   **under section 5 of this chapter that are necessary to assist:**
34   **(A) townships;**
35   **(B) counties; and**
36   **(C) conservancy districts;**
37   **with the implementation of this chapter.**
38   **Sec. 8. There is annually and continuously appropriated from**
39   **the state general fund the amount necessary to make the**
40   **distributions required by this chapter.".**
41   Page 110, between lines 3 and 4, begin a new paragraph and insert:
42   "SECTION 88. [EFFECTIVE JULY 1, 2004] **(a) A payment in lieu**
43   **of taxes is first due under IC 6-1.1-21.3, as added by this act, on**

1   **May 1, 2005.**
2   **(b) In cooperation with the auditor of state, the department of**
3   **local government finance shall, not later than August 1, 2004,**
4   **prescribe a form for the auditor of state to report the information**
5   **needed to carry out IC 6-1.1-21.3-5, as added by this act.**
6   **(c) This SECTION expires January 1, 2006.**".
7   Renumber all SECTIONS consecutively.
     (Reference is to HB 1001 as printed November 18, 2003.)

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Representative Koch